
REPORTING ALLEGATIONS OF AND CIRCUMSTANCES CONCERNING CRIMES AND CRIMINAL OFFENSES

Employee Reporting Requirements

Any employee of the Cherokee County School District who is arrested, charged, indicted, bound over by or to a grand jury, convicted, exonerated, enters a plea, or who is nolle prosecuted for any crime or criminal offense in the State of Georgia or any other state in the United States, whether the crime or criminal offense is a felony or misdemeanor, will report each and all of these events, occasions, or developments to the Superintendent of Schools or appropriate designee as soon as reasonably practical, but no later than five (5) calendar days after its occurrence. This also includes any arrest or conviction outside of the United States. Minor traffic violations (such as speeding and parking tickets) are exempt from this reporting requirement. Driving Under the Influence (DUI) is not exempt from the requirement and must be reported.

In making this report, the employee will:

1. Provide a verbal and/or written report of the circumstances surrounding the arrest;
2. Provide a copy of the arrest citation, motor vehicle accident report or any other narrative explanation of the arrest generated by the arresting officials/jurisdiction;
3. Disclose all subsequent facts relating to the charges, court dates and the disposition of the matter within 24 hours after that information becomes available to the employee;
4. Fully cooperate with any school district investigation of the matter.

Disciplinary Actions

1. Appropriate disciplinary action, including termination, may be utilized by the School District.
2. Failure to report any of the above circumstances or events by the employee may result in appropriate disciplinary action, including termination.
3. The employee may be suspended, with or without pay, pending disposition of the criminal charges. Any employee suspended pending the disposition of criminal charges will not report to work or be present at his/her normal work site during the period of suspension.
4. If the conduct resulting in criminal charges is unrelated to School District employment, the employee may be allowed to continue working.
5. Where applicable, the Superintendent of Schools may temporarily reassign the employee until the charges/investigation is completed.
6. If no disciplinary action is taken to suspend or terminate the employee, but the employee does not report to work within (5) calendar days of the institution of criminal charges, the position may be declared vacant and filled in the normal course of filling vacancies.
7. Additional disciplinary action(s), including termination, may be initiated by the School District during the investigation or upon disposition of the charges.

Appropriate due process, including the opportunity for a hearing to contest the disciplinary action before the Board of Education, will be afforded to the employee, as required by law.

Determination of appropriate disciplinary action, if any, will be based upon the nature of the offense(s), relationship to job duties, compliance with reporting requirements in this policy and the employee's work record.

Criminal history record information will be used by the School District and its authorized officials and employees only for the purpose of determining employment status, and in the administrative or judicial proceeding calling such employment into question, and will be stored, restricted and disposed of in such manner as may be required by federal or state authorities. When appropriate, criminal history record information will be referred by the Superintendent of Schools or appropriate designee to the Georgia Professional Standards Commission or other appropriate State agencies for further investigation.

ADOPTED: July 24, 2006

REVISED: July 19, 2018

Cherokee County Board of Education